



Brick Township Council
Caucus/Public Meeting
September 26, 2023
7:00 PM
Agenda No. 1

1. Call to order.
2. Adequate notice of this meeting was provided and published in Asbury Park Press and The Ocean Star on January 27, 2023. Copies of the agenda were provided to the newspapers, posted on public bulletin boards and the township website (www.bricktownship.net).
3.
 - a. Roll Call.
 - b. Salute to the Flag/Pledge of Allegiance/Moment of Silence.
 - c. Accept Reports from Municipal Officers.
 - d. Approve Minutes from September 12, 2023 Meeting.
 - e. Presentation:
 1. Ocean County Teacher of the Year – Jaclyn Potochar.

Consent Agenda

“All matters listed under item “Consent Agenda” will be enacted by one motion in the form listed below. If discussion is desired on any item, this item will be removed from the Consent Agenda and will be considered separately.”

4. Resolutions:
 - ___ 1. Authorize Insertion of Chapter 159 – 2023 Clean Communities Grant.
 - ___ 2. Authorization to Bid – Vac-Con Parts, Supplies and Repairs.
 - ___ 3. Authorize Award of Contract for Roadway Improvements – Isolated Roads.
 - ___ 4. Authorize Award of Contract – Motors for Marine 1.
 - ___ 5. Authorize Award of Contract – Softball Fields at Drum Point Sports Complex.
 - ___ 6. Authorize Award of Contract – Roll-Off Containers.
 - ___ 7. Authorize Award of Contract – Emergency Lighting for Utility Task Vehicle.
 - ___ 8. Authorize Sale of Surplus Property – Municibid Online Auction.
 - ___ 9. Authorize Vehicle Donation to the Ocean County Vocational School Academy of Law & Public Safety.
 - ___ 10. Authorize Placement of Tax Lien for Property Clean-Up – Block 792, Lot 13.
 - ___ 11. Authorize Special Events Permit – St. Paul’s Church Festival.
 - ___ 12. Bond Releases/Reductions:
 - a. Performance Bond Release- Block 470.01, Lot 16.
 - b. Inspection Fund Release- Block 321.02, Lot 17.
 - c. Inspection Fund Release- Block 380.18, Lot 1.01.
 - d. Inspection Fund Release- Block 701.02, Lot 2.
 - e. Inspection Fund Release- Block 852, Lot 1.
 - f. Inspection Fund Release- Block 935, Lot 46.
 - ___ 13. Tax Collector:
 - a. Tax Overpayment 2020 – Block 867, Lot 5.
 - b. Tax Overpayment 2023 – Block 1192.31, Lot 23.

*******End of Consent Agenda*******

- ___ 14. Bill Resolution – Computer 2023.
- ___ 15. Bill Resolution – Manual 2023.

5. Ordinance on First Reading:
 - ___ 1. Amending Chapter 18, “Fire Department”.

6. Public Comments.
Please note that each person addressing the Council during any section of the meeting during which public comment is permitted shall limit his/her remarks to five minutes pursuant to Brick Township Administrative Code Section 2 -33B.

7. Council Comments.

8. Motion to Adjourn.
And any other matters which may come before Council.
Formal Action may be taken at all meetings.

Next scheduled Caucus/Public Meeting will be held on Tuesday, October 10, 2023 at 7:00 p.m.

**RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND
APPROPRIATION NJS 40A:4-87**

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE BE IT RESOLVED, that Township Council of the Township of Brick in the County of Ocean, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of 2023 in the amount of \$191,021.85, which is now available from the State of New Jersey – Department of the Treasury – Solid Waste Administration – 2023 Clean Communities Grant.

BE IT FURTHER RESOLVED, that the like sum of \$191,021.85 is hereby appropriated under the caption Public and Private Programs Offset by Revenues – 2023 Clean Communities Grant.

BE IT FURTHER RESOLVED, that the above is the result of funds received from the State of New Jersey – Department of the Treasury – Solid Waste Administration – Clean Communities Grant in the amount of \$191,021.85.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on September 26, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of September, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-1	9/26/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, it has been brought to the attention of the governing body of the Township of Brick that the Division of Purchasing and Contracting is desirous of receiving bids for the following item:

VAC-CON PARTS, SUPPLIES AND REPAIRS

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, AND STATE OF NEW JERSEY, AS FOLLOWS:

1. That the Division of Purchasing and Contracting is hereby authorized to prepare bid specifications for the above-mentioned project.
2. That the Division of Purchasing and Contracting is hereby authorized to advertise for the receiving of bids for the above-mentioned project.

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on September 26, 2023.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of September, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-2	9/26/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for Roadway Improvements to Isolated Roads (Morris Avenue & P/O Meridian Drive) on Thursday, September 14, 2023 and

WHEREAS, the bids have been reviewed by CME Associates; and

WHEREAS, CME Associates has recommended award of said bid to the lowest responsive and responsible bidder being in full compliance with the bid specifications.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

1. That the contract for Roadway Improvements to Isolated Roads (Morris Avenue & P/O Meridian Drive) is hereby awarded to Fiore Paving Co., Inc., 4 Fiore Court, Oceanport, NJ 07757 for a total amount of \$387,600.00.
2. That a Certificate of Availability of Funds has been issued by the Chief Financial Officer and is attached hereto. The following is the line item appropriation and ordinance which constitutes the availability of funds for this contract:
Ordinance #11-23 – account C-04-55-886-401 – \$387,600.00
3. That the Mayor is authorized to execute and the Clerk to attest to the proposed form of contract, which shall be available for public examination in the Office of the Township Clerk during normal business hours.
4. That the Purchasing Agent is hereby authorized to return any and all bid securities submitted by any unsuccessful bidders pursuant to N.J.S.A. 40A:11-24.
5. That the Township Clerk shall further forward a certified copy of this resolution to the vendor, CME Associates, Business Administrator, Chief Financial Officer, Township Engineer, Superintendent of Public Works and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on September 26, 2023.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of September, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-3	9/26/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION AUTHORIZING AWARD OF CONTRACT THROUGH
STATE OF NEW JERSEY COOPERATIVE PURCHASING PROGRAM**

WHEREAS, N.J.S.A. 40A:11-4 requires that every contract for the provision of any goods or services, the cost of which in the aggregate exceeds the bid threshold, shall be awarded only by resolution of the governing body; and

WHEREAS, the Township of Brick pursuant to N.J.S.A. 40A:11-12 and N.J.A.C. 5:34-7.29(c), may by resolution of governing body and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program; and

WHEREAS, the Township of Brick desires to utilize State Contract #21-FOOD-05223 for the purchase and installation of new motors on Marine 1 to replace current engines; and

WHEREAS, the Chief Financial Officer has certified to the Township Clerk that funds are available from the 2023 Capital Budget; and

WHEREAS, the Ocean County Prosecutor's Office has approved forfeiture funds from the N.A.S.A.F. Rider account for the remainder of the purchase.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, AND STATE OF NEW JERSEY, as follows:

1. The contract is awarded without competitive bidding pursuant to N.J.S.A. 40A:11-12(a) of the Local Public Contracts Law.
2. That the Purchasing Agent is hereby authorized to execute a purchase order to Chestnut Neck Boat Yard Co., 758 Old New York Road, Port Republic, NJ 08241 in an amount of \$55,360.20 for the purchase and installation of new motors on Marine 1 to replace current engines through State Contract #21-FOOD-05223.
3. That a Certificate of Availability of Funds has been issued by the Chief Financial Officer for the portion of the funds withdrawn from the 2023 Capital budget and is attached hereto. The following are the line item appropriations and ordinance which constitutes the availability of funds for this contract:
 Ordinance #9-23 – account C-04-55-884-501 – \$50,863.00
 N.A.S.A.F. Rider Expense – account T-03-56-856-302 – \$4,497.20
4. That the Township Clerk shall further forward a certified copy of this resolution to the vendor, Business Administrator, Chief Financial Officer, Deputy Chief of Police, and Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey; do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on September 26, 2023.

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of September, 2023.

Agenda #	Date
4-4	9/26/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

Lynnette A. Iannarone
Township Clerk

RESOLUTION

WHEREAS, the Township of Brick has a need to acquire renovate the four (4) infields of the softball fields at Drum Point Sports Complex through a required disclosure process pursuant to the provisions of N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26; and

WHEREAS, in compliance with the Local Public Contracts Law, the Township of Brick has received two (2) quotations for the purchase exceeding 15% of the bid threshold; and

WHEREAS, the Purchasing Agent of the Township of Brick has determined and certified in writing that the value of the services will exceed \$17,500.00; and

WHEREAS, the business entity has submitted a proposal indicating they will renovate the four (4) infields of the softball fields at Drum Point Sports Complex; and

WHEREAS, the business entity has completed and submitted a Business Entity Disclosure Certification which certifies that the entity has not made any reportable contributions to a political or candidate committee in the Township of Brick in the previous one (1) year, and that the contract will prohibit the entity from making any reportable contributions through the term of the contract; and

WHEREAS, pursuant to C.271, the business entity has completed and submitted a Political Contribution Disclosure Form; and

WHEREAS, the Chief Financial Officer has certified to the Township Clerk that funds are available.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

1. That the Township Council of the Township of Brick does hereby award contract to Bob Viersma & Sons, Inc., dba Advanced Athletic Services, P.O. Box 224, Allamunchy, NJ 07820 to renovate the four (4) infields of the softball fields at Drum Point Sports Complex.
2. That the contract shall be in accordance with the proposal on file in the Office of Purchasing & Contracting in the amount of \$39,975.00.
3. That this contract is awarded as a required disclosure process contract in compliance with N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26 et seq.
4. That pursuant to N.J.S.A. 19:44A-20.26 the Business Disclosure Entity Certification, Political Contribution Disclosure Form, Statement of Ownership Disclosure and the Determination of Value are on file with this resolution.
5. That a Certificate of Availability of Funds has been issued by the Chief Financial Officer and is attached hereto. The following is the line item appropriation and ordinance which constitutes the availability of funds for this contract:
 Ordinance #9-23 – account C-04-55-884-502 – \$39,975.00
6. That the Purchasing Agent is authorized to issue a purchase order for the proposed quotation, which shall be available for public examination in the Office of Purchasing & Contracting during normal business hours.

Agenda #	Date
4-5	9/26/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

That a certified copy of this resolution shall be forwarded to the vendor, Superintendent of Public Works, Parks Supervisor, Business Administrator, Chief Financial Officer and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on September 26, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of September, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, the Township of Brick has a need to acquire five (5) 40 C.Y. Roll-Off Containers through a required disclosure process pursuant to the provisions of N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26; and

WHEREAS, in compliance with the Local Public Contracts Law, the Township of Brick has received two (2) quotations for the purchase exceeding 15% of the bid threshold; and

WHEREAS, the Purchasing Agent of the Township of Brick has determined and certified in writing that the value of the services will exceed \$17,500.00; and

WHEREAS, the business entity has submitted a proposal indicating they will supply and deliver five (5) 40 C.Y. Roll-Off Containers; and

WHEREAS, the business entity has completed and submitted a Business Entity Disclosure Certification which certifies that the entity has not made any reportable contributions to a political or candidate committee in the Township of Brick in the previous one (1) year, and that the contract will prohibit the entity from making any reportable contributions through the term of the contract; and

WHEREAS, pursuant to C.271, the business entity has completed and submitted a Political Contribution Disclosure Form; and

WHEREAS, the Chief Financial Officer has certified to the Township Clerk that funds are available.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

1. That the Township Council of the Township of Brick does hereby award contract to Wastequip, 506 New Brooklyn Road, Williamstown, NJ 08094 to supply and delivery five (5) 40 C.Y. Roll-Off Containers.
2. That the contract shall be in accordance with the proposal on file in the Office of Purchasing & Contracting in the amount of \$35,646.65.
3. That this contract is awarded as a required disclosure process contract in compliance with N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26 et seq.
4. That pursuant to N.J.S.A. 19:44A-20.26 the Business Disclosure Entity Certification, Political Contribution Disclosure Form, Statement of Ownership Disclosure and the Determination of Value are on file with this resolution.
5. That a Certificate of Availability of Funds has been issued by the Chief Financial Officer and is attached hereto. The following is the line item appropriation and ordinance which constitutes the availability of funds for this contract:
Ordinance #9-23 – account C-04-55-884-502 – \$35,646.65
6. That the Purchasing Agent is authorized to issue a purchase order for the proposed quotation, which shall be available for public examination in the Office of Purchasing & Contracting during normal business hours.
7. That a certified copy of this resolution shall be forwarded to the vendor, Superintendent of Public Works, Business Administrator, Chief Financial Officer and the Purchasing Agent.

Agenda #	Date
4-6	9/26/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on September 26, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of September, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, the Township of Brick has a need to acquire emergency lighting to be added to the Polaris Ranger 570 ATV ordered on November 4, 2022 through a required disclosure process pursuant to the provisions of N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26; and

WHEREAS, the Purchasing Agent of the Township of Brick has determined and certified in writing that the value of the purchase will surpass \$17,500.00 in spending with the vendor; and

WHEREAS, the business entity has submitted a proposal indicating they will provide and install emergency lighting to the Polaris Ranger 570 ATV; and

WHEREAS, the business entity has completed and submitted a Business Entity Disclosure Certification which certifies that the entity has not made any reportable contributions to a political or candidate committee in the Township of Brick in the previous one (1) year, and that the contract will prohibit the entity from making any reportable contributions through the term of the contract; and

WHEREAS, pursuant to C.271, the business entity has completed and submitted a Political Contribution Disclosure Form.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

1. That the Township Council of the Township of Brick does hereby award contract to Jersey Shore Powersports, 656 Highway 35, Middletown, NJ 07748 to provide and install emergency lighting to the Polaris Ranger 570 ATV previously ordered for the Brick Township Police Department on November 4, 2022.
2. That the contract shall be in accordance with the proposal on file in the Office of Purchasing & Contracting in the amount of \$3,567.24.
3. That this contract is awarded as a required disclosure process contract in compliance with N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26 et seq.
4. That pursuant to N.J.S.A. 19:44A-20.26 the Business Disclosure Entity Certification, Political Contribution Disclosure Form, Statement of Ownership Disclosure and the Determination of Value are on file with this resolution.
5. That funds will be certified by the Chief Financial Officer from the 2023 Capital Budget, Item #73, Ordinance #11-23, account C-04-55-886-501.
6. That the Purchasing Agent is authorized to issue a purchase order for the proposal, which shall be available for public examination during normal business hours.
7. That a certified copy of this resolution shall be forwarded to the vendor, Business Administrator, Chief Financial Officer, Deputy Chief of Police and the Purchasing Agent.

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on September 26, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of September, 2023.

Agenda #	Date
4-7	9/26/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

**RESOLUTION AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY
NO LONGER NEEDED FOR PUBLIC USE ON AN ONLINE AUCTION WEBSITE**

WHEREAS, the Township of Brick has determined that the forfeited 2019 Honda Civic incorporated herein and described below which was retained due to a Police authorized tow is authorized for auction; and

WHEREAS, the Township of Brick intends to utilize the online auction services of Municibid, 1635 Market Street, Suite 1600, Philadelphia, PA 19103 located at www.municibid.com through NJ State Contract #19-GNSV1-00696; and

WHEREAS, the sale is being conducted pursuant to N.J.S.A. 40A:11-36 and the guidance set forth in the Division of Local Government Services' Local Finance Notice 2019-15.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, AND STATE OF NEW JERSEY, as follows:

1. That the Township is hereby authorized to sell the forfeited vehicle as indicated below on an online auction website entitled www.municibid.com:
Year: 2019
Make: Honda
Model: Civic
VIN: #2HGFC2F61KH525531
Mileage: 9,500
2. That the terms and conditions of the agreement entered into between Municibid and the Township of Brick are available at www.municibid.com.
3. That a certified copy of this resolution shall be forwarded to Municibid, Business Administrator, Chief of Police, Chief Financial Officer and the Purchasing Agent.

CERTIFICATION

I, **LYNNETTE A. IANNARONE**, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on September 26, 2023

IN WITNESS, WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of September, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-8	9/26/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION FOR THE TOWNSHIP OF BRICK, COUNTY OF OCEAN,
STATE OF NEW JERSEY, AUTHORIZING THE DONATION
OF A VEHICLE TO THE OCEAN COUNTY VOCATIONAL SCHOOL,
ACADEMY OF LAW AND PUBLIC SAFETY**

WHEREAS, pursuant to State law, N.J.S.A. 40A:12-21.1, the Governing Body may determine that a vehicle is no longer needed for municipal purposes, and may authorize a private sale for nominal consideration to a non-profit organization by the adoption of a Resolution; and

WHEREAS, the law requires that, in such cases, the donation shall contain a limitation that the vehicle shall be used only for the purposes of the organization, and not for commercial business, trade or manufacturer, and that if the vehicle is not used in accordance with that limitation, ownership reverts to the municipality; and

WHEREAS, the Township owns a vehicle known as a 2009 Chevrolet Tahoe, VIN no. 1GNFK03019R272914, that is beyond repair for Township purposes and is no longer needed for Township purposes; and

WHEREAS, the Ocean County Vocational School, Academy of Law and Public Safety has requested the donation of the vehicle by the Township to be used for the purposes of the Academy; and

WHEREAS, the Mayor and Council desire to authorize the donation of the vehicle to the Ocean County Vocational School, Academy of Law and Public Safety;

NOW THEREFORE BE IT RESOLVED:

1. That the Township is hereby authorized to transfer ownership of a vehicle known as a 2009 Chevrolet Tahoe, VIN no. 1GNFK03019R272914, that is no longer needed for Township purposes, to the Ocean County Vocational School, Academy of Law and Public Safety, to be used for purposes of the Academy, for no consideration.
2. That the vehicle shall be used only for the purposes of the Academy, not for commercial business, trade or manufacture, and if the vehicle is not used in accordance with that limitation, ownership shall revert to the Township.
3. That the Township Clerk and other appropriate municipal officials are authorized to take action and to execute such documentation as is necessary to effectuate the transfer of the vehicle to the Academy.
4. That a certified copy of this Resolution shall be provided to the Ocean County Vocational School, Academy of Law and Public Safety.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting held on September 26, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the Township this 26th day of September, 2023.

Agenda #	Date
4-9	9/26/23
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

RESOLUTION OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, ACCEPTING THE CERTIFICATION OF THE DIRECTOR OF PUBLIC WORKS CONCERNING ADDITIONAL COSTS INCURRED IN THE REMOVAL OF DEBRIS AND CLEANING UP OF THE PROPERTY LOCATED AT MULTIPLE BLOCKS/LOTS AND AUTHORIZING THE PLACEMENT OF A LIEN AGAINST SAID PROPERTIES FOR SAID COSTS.

WHEREAS, in accordance with the provisions of N.J.S.A. 40:65-12 and Chapter 331, specifically Section 331-5 through 331-9, of the Township Code of the Township of Brick, the Township of Brick removed debris and cleaned up the property located at:

1457 Princess Ave. Block 792/Lot 13 - \$60.13

after duly-giving notice to the property owner of said property pursuant to Chapter 56; and

WHEREAS, the Director of Public Works has certified the costs incurred by the Township in removing the debris and cleaning up the aforementioned property; and

WHEREAS, the total additional costs incurred by the Township for the removal of the debris and cleaning up the property as certified by the Director of Public Works, are:

1457 Princess Ave. Block 792/Lot 13 - \$60.13

WHEREAS, Chapter 331 of the Township Code, in accordance with N.J.S.A. 40:65-12, et seq. authorizes the governing body to have a lien placed against the subject property for the costs incurred by the Township in the removal of the debris from the subject premises and cleaning up the property, together with interest at the same rate as other taxes as set forth in N.J.S.A. 40:48-2.14.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Brick, County of Ocean, State of New Jersey, as follows:

- 1. That the Mayor and Township Council do hereby formally accept and approve the certification submitted by the Director of Public Works for the removal of debris and cleaning up the property located at:

1457 Princess Ave. Block 792/Lot 13 - \$60.13

- 2. That the Mayor and Township Council do hereby direct the Tax Collector to place an assessment against the subject property in accordance with this resolution.
- 3. That a copy of the certified costs incurred by the Township in removing the debris and cleaning up the property, together with a copy of the resolution, shall be forwarded to the owner of the property by certified mail.
- 4. That a certified copy of this resolution be forwarded to the Tax Collector and to the Code Enforcement Officer.

CERTIFICATION

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on September 26, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of September, 2023.

Agenda #	Date
4-10	9/26/23
Agenda #	Date
Agenda #	Date

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, St. Paul's United Methodist Church has applied for a special event permit to conduct a Festival Event on October 21, 2023 in accordance with Chapter 393 of the Code of the Township of Brick; and

WHEREAS, the Municipal Clerk has requested, and received, a report from the various departments on the effect of the special event and the recommendations are incorporated herein; and

WHEREAS, the Mayor and Council desire to approve St. Paul's request for special event application to conduct a Festival Event at 714 Herbertsville Road on October 21, 2023 with the conditions and restrictions detailed below.

BE IT RESOLVED, by the Township Council of the Township of Brick, County of Ocean, State of New Jersey, as follows:

SECTION 1. That St. Paul's request for special event application to conduct a Festival Event on October 21, 2023 between the hours of 10:00 am and 3:00 pm, at 714 Herbertsville Road with the conditions and restrictions as follows:

1. All fire lanes and fire access must remain open and accessible at all times.
2. Any food vendors/food trucks (if set up) must obtain a cooking permit at least ten (10) days prior to the event.
3. The intentional and/or accidental release of balloons and helium/gas filled objects into the atmosphere is environmentally detrimental and should be prevented.
4. Any signage advertising this event (if applicable) shall not be displayed or placed in a manner that it creates a view obstruction at the entrance/exits of the parking lot.
5. Vehicles shall not be parked on the shoulder of Herbertsville Rd. for any period of time.
6. Applicant will provide an adequate number of sanitary facilities (bathrooms) for the number of persons present. If temporary portable facilities are utilized at least one portable facility will be handicap accessible. All temporary facilities shall be serviced to maintain them in a sanitary condition.
7. Issuance of a special events permit does not relieve the applicant from complying with permits required under other New Jersey statues or municipal ordinances including, but not limited to, construction permits required under the Uniform Construction Code NJAC 5:23 or permits required under the Uniform Fire Code N.J.A.C. 5:70.

SECTION 2. That a copy of this Resolution shall be provided to the Chief of Police and St. Paul's.

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on September 26, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of September, 2023.

Agenda #	Date
4-11	9/26/23
Agenda #	Date
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LYNNETTE A. IANNARONE
TOWNSHIP CLERK

RESOLUTION

WHEREAS, Wawa, Inc, 260 West Baltimore Pike, Wawa, PA 19063 had posted Travelers Casualty and Surety Co. Performance Bond #106588057 in the amount of \$22,282.06 and a cash performance bond in the amount of \$2,475.79 for 595 Brick Boulevard (Block 470.01 Lot 16 PB-2772) in the Township of Brick; and

WHEREAS, the Assistant Township Engineer, by letter dated September 14, 2023 has advised that all the required improvements have been completed and are acceptable; and

WHEREAS, the Assistant Township Engineer recommends that the Travelers Casualty and Surety Co. Performance Bond #106588057 in the amount of \$22,282.06 and a cash performance bond in the amount of \$2,475.79 along with the engineering inspection fees in the amount of \$1,065.91 be returned to the applicant; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Brick, County of Ocean and State of New Jersey, as follows:

1. That the Travelers Casualty and Surety Co. Performance Bond #106588057 in the amount of \$22,282.06 and a cash performance bond in the amount of \$2,475.79 along with the engineering inspection fees in the amount of \$1,065.91 be returned to the applicant; and
2. That the Municipal Clerk forward certified copies of this resolution to the following:
 - a. Chief Financial Officer
 - b. Assistant Township Engineer
 - c. Applicant/Developer

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on September 26, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of September, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-120	9/26/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated September 14, 2023 that there is \$407.06 remaining in the engineering inspection fund from Damian – Marilyn Ayers, LLC, 347 Drum Point Road, Brick for Block 321.01 Lot 17; and

WHEREAS, the Assistant Township Engineer has advised that all the required improvements have been completed and are acceptable; and

WHEREAS, the Assistant Township Engineer recommends that the \$407.06 remaining in the engineering inspection fund be returned to the applicant; and

WHEREAS, the Township Council is satisfied with the recommendations of the Assistant Township Engineer.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

1. That the \$407.06 remaining in the engineering inspection fund be returned to the applicant.
2. That a certified copy of this resolution be forwarded to:
 - a. Chief Finance Officer
 - b. Assistant Township Engineer
 - c. Applicant/Developer

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on September 26, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of September, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-12b	9/26/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated September 14, 2023 that there is \$949.12 remaining in the engineering inspection fund from Brothers Eosso Paving, LLC, 383 Cranberry Road, Farmingdale NJ 07727 for 70 Brick Boulevard, Block 380.18 Lot 1.01; and

WHEREAS, the Assistant Township Engineer has advised that all the required improvements have been completed and are acceptable; and

WHEREAS, the Assistant Township Engineer recommends that the \$949.12 remaining in the engineering inspection fund be returned to the applicant; and

WHEREAS, the Township Council is satisfied with the recommendations of the Assistant Township Engineer.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

1. That the \$949.12 remaining in the engineering inspection fund be returned to the applicant.
2. That a certified copy of this resolution be forwarded to:
 - a. Chief Finance Officer
 - b. Assistant Township Engineer
 - c. Applicant/Developer

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on September 26, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of September, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-12c	9/26/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated September 14, 2023 that there is \$2,623.12 remaining in the engineering inspection fund from 184 Chambers Bridge, LLC, 14 Navarra Drive, Brick for 184 Chambers Bridge Road, Block 701.02 Lot 2; and

WHEREAS, the Assistant Township Engineer has advised that all the required improvements have been completed and are acceptable; and

WHEREAS, the Assistant Township Engineer recommends that the \$2,623.12 (plus interest if applicable) remaining in the engineering inspection fund be returned to the applicant; and

WHEREAS, the Township Council is satisfied with the recommendations of the Assistant Township Engineer.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

1. That the \$2,623.12 (plus interest if applicable) remaining in the engineering inspection fund be returned to the applicant.
2. That a certified copy of this resolution be forwarded to:
 - a. Chief Finance Officer
 - b. Assistant Township Engineer
 - c. Applicant/Developer

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on September 26, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of September, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-12d	9/26/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated September 14, 2023 that there is \$782.92 remaining in the engineering inspection fund from LP & Apts, LLC, 63 W. Main Street, P.O Box 5008, Freehold, NJ 07728 for 1743 Route 88, Block 852 Lot 1; and

WHEREAS, the Assistant Township Engineer has advised that all the required improvements have been completed and are acceptable; and

WHEREAS, the Assistant Township Engineer recommends that the \$782.92 remaining in the engineering inspection fund be returned to the applicant; and

WHEREAS, the Township Council is satisfied with the recommendations of the Assistant Township Engineer.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

1. That the \$782.92 remaining in the engineering inspection fund be returned to the applicant.
2. That a certified copy of this resolution be forwarded to:
 - a. Chief Finance Officer
 - b. Assistant Township Engineer
 - c. Applicant/Developer

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on September 26, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of September, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-12e	9/26/23
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, the Assistant Township Engineer has notified the Municipal Clerk by letter dated September 14, 2023 that there is \$907.06 remaining in the engineering inspection fund from Malgarbeach, Inc. t/a Comstock Boat Works, 704 Princeton Avenue, Brick for Block 935 Lot 46; and

WHEREAS, the Assistant Township Engineer has advised that all the required improvements have been completed and are acceptable; and

WHEREAS, the Assistant Township Engineer recommends that the \$907.06 remaining in the engineering inspection fund be returned to the applicant; and

WHEREAS, the Township Council is satisfied with the recommendations of the Assistant Township Engineer.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:

1. That the \$907.06 remaining in the engineering inspection fund be returned to the applicant.
2. That a certified copy of this resolution be forwarded to:
 - a. Chief Finance Officer
 - b. Assistant Township Engineer
 - c. Applicant/Developer

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on September 26, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of September, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-12f	9/26/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

RESOLUTION

WHEREAS, Kelly Napolitano, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments of taxes for the year 2020.

NOW, THEREFORE BE IT RESOLVED by the Township Council in the Township of Brick, County of Ocean and State of New Jersey, that the Township Treasurer be authorized to refund any and all monies due the individual property owner or bank who was responsible for the overpayment.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
867/5/415136 1823 Route 88	Berger & Bornstein, LLC	\$3,656.45

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on September 26, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of September, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-13a	9/26/23

RESOLUTION

WHEREAS, Kelly Napolitano, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments of taxes for the year 2023.

NOW, THEREFORE BE IT RESOLVED by the Township Council in the Township of Brick, County of Ocean and State of New Jersey, that the Township Treasurer be authorized to refund any and all monies due the individual property owner or bank who was responsible for the overpayment.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
1192.31/23/622068 24 Poe Road	Buckley, Margaret & Mark	\$559.14

CERTIFICATION

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on September 26, 2023.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 26th day of September, 2023.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

Agenda #	Date
4-13.b.	9/26/23
Agenda #	Date
Agenda #	Date

ORDINANCE

AN ORDINANCE OF THE TOWNSHIP OF BRICK,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AMENDING THE TOWNSHIP CODE OF THE TOWNSHIP
OF BRICK IN CHAPTER 18, "FIRE DEPARTMENT," TO
BE CONSISTENT WITH STATE LAW REGARDING AN
EXEMPT FIREFIGHTER'S CERTIFICATE

WHEREAS, Chapter 18 of the Township Code regulates the Fire Department and firefighters in the Township; and

WHEREAS, the State Legislature amended the statute that governs exempt firefighter's certificates, N.J.S.A. 40A:14-56, in 2021 to increase the age of eligibility for exempt firefighters and to make other related changes; and

WHEREAS, the Brick Township Joint Board of Fire Commissioners has requested that the Mayor and Township Council amend the Township Code to be consistent with the new provisions of state law;

NOW THEREFORE BE IT ORDAINED by the Mayor and Township Council of the Township of Brick, County of Ocean, and State of New Jersey, as follows:

SECTION 1. Chapter 18 of the Township Code of the Township of Brick entitled "Fire Department" is hereby amended in Section 18-2, "Members and officers," in Section 18-4, "Certificate of Service," and in Section 18-5, "Exempt Fireman's Certificate," to read as follows (underlined portion to be added, ~~strikethroughs~~ to be deleted):

§ 18-2 Members and officers.

Each company shall and may choose and appoint from its own number a Chief, an engineer and assistant officers, as required by each company, and all firemen in good standing in any fire company at the time this article becomes effective and as many firemen of the age of 18 years and not more than ~~50~~ 57 years of age at the time of their election to membership, and who are citizens of the United States and residents of the Township of Brick, as are elected by said companies, are approved by the Board of Fire Commissioners of the Township of Brick in the district in which they are elected.

§18-4 Certificate of Service.

A member of any fire company in good standing who was between the age of 18 and 57 at the time of appointment, ~~is between the age of 18 and 50 years and~~ has performed seven years of service, performing 60% of fire duty during that period, shall be entitled to receive a municipal certificate of service from the Township of Brick.

§18-5 Exempt Fireman's Certificate

A member of any fire company in good standing at the time this article becomes effective, and not in possession of an exempt fireman's certificate, shall be entitled to receive an exempt fireman's certificate when, from the records of any fire companies filed with the Clerk of this Township, it appears that he was a resident of the municipality, a citizen of the United States and has served the necessary period to make a total of seven years' service, performing: during a period of seven years, 60% of fire duty; or after January 1, 2009, 50% of fire duty; or after January 1, 2020, a percentage rate as set by the executive committee of the New Jersey State Exempt Firemen's Association, in each year, respectively, ~~60% of fire duty during that period,~~ all of which facts must be certified in accordance with the law in such case made and provided.

SECTION 2. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent

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jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 3. This ordinance shall take effect after second reading and publication as required by law.

NOTICE

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Brick held on the 26th day of September, 2023, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 10th day of October, 2023 at 7:00 p.m., at the Municipal Building, located at 401 Chambers Bridge Road, Brick, New Jersey, at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

LYNNETTE A. IANNARONE
TOWNSHIP CLERK

LISA CRATE
MAYOR